



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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April 17, 2007

BOB WHEELER
1133 OLYMPUS AVE
PORT ANGELES WA 98362

Subject: Complaint filed against Kevin Van De Wege Campaign - PDC Case No. 07-020

Dear Mr. Wheeler:

The Public Disclosure Commission (PDC) staff has completed its investigation of your complaint received September 1, 2006, alleging that the Kevin Van De Wege, a candidate for State Representative in the 24th Legislative District, violated RCW 42.17.640 by accepting contributions from the Washington Education Association (WEA), and these contributions, when combined with activities undertaken by local WEA member, Tedd Davis, exceeded the allowable contribution limits of \$700 for the 2006 primary and \$700 for the general election.

Your complaint was reviewed in light of the following statutes:

RCW 42.17.640 specifies the contribution limitations for a candidate for the State House of Representatives. In 2006, those limits were \$700 for the primary election and \$700 for the general election.

RCW 42.17.020(15)(b)(v) states that a contribution does not include internal political communications primarily limited to the members of a labor organization or other membership organization;

We reviewed the campaign's response to the complaint, the response from Tedd Davis' legal counsel and we also conducted a telephone interview with Mr. Davis. As a result of this activity, we found that:

- On February 13, 2006, Kevin Van De Wege filed a Candidate Registration Statement (PDC Form C-1) declaring his candidacy seeking the office of State Representative in the 24th Legislative District.
- The Kevin Van De Wege campaign filed Monetary Contributions Reports (PDC Form C-3) disclosing that WEA PAC made a \$1,400 contribution to the campaign on June 1, 2006, and attributing \$700 of the contribution to the primary election and \$700 of the contribution to the general election.



- Tedd Davis stated during the telephone interview that he is an 8th grade science teacher in the Port Townsend School District, and he had been President of the Port Townsend Teachers Association on two separate occasions. He said that he was paid a total of \$6,000 by the WEA to work for six weeks as an independent contractor during the summer between July 10 and August 18, 2006. He said that his duties were to work as a member organizer for local WEA members and to solicit and coordinate WEA members to volunteer for the Kevin Van De Wege Campaign.
- Mr. Davis said that under his contract with the WEA he was to communicate with the 1,200(+) WEA active members on the Olympic peninsula. He received a list of active members from the WEA and sent each member a July 9, 2006 "WEA Colleague" letter informing them that Kevin Van De Wege was a candidate for State Representative in the 24th Legislative District in 2006. The letter provided members with information about Kevin Van De Wege's candidacy, stated that Mr. Davis was under contract with the WEA to introduce Mr. Van De Wege, and requested that members assist the Kevin Van De Wege campaign by volunteering during the 2006 election. The letter stated that WEA members could participate in a number of volunteer activities that included doorbelling, taking a campaign yard sign, attending a WEA meeting where Mr. Van De Wege would be present or hosting a coffee or dessert social.
- Mr. Davis said that he contacted about 900 WEA members by telephone while under contract and also sent a follow-up postcard to members at the end of his contract thanking them for their support and urging them to volunteer for the Kevin Van De Wege campaign.
- Mr. Van De Wege stated that Tedd Davis contacted his campaign in 2006 and requested information about campaign dates in which volunteers might be needed. Mr. Van De Wege said his campaign provided Mr. Davis with two dates in October for campaign door bellling, two dates for Fourth of July parades, and two other campaign event dates.
- Mr. Van De Wege also stated that Mr. Davis provided him with information about five local WEA meetings that were to be held in August and September and said he expressed an interest in attending and addressing the local WEA members. Mr. Van De Wege said that he attended three of the five local WEA meetings, and that coordinating those activities were the only communications that occurred between Mr. Davis and his campaign.
- Mr. Davis confirmed that he met with Carl Schroeder, campaign manager for the Kevin Van De Wege campaign, on August 11, 2006, and provided the campaign manager with fives dates scheduled for local education association meetings in which Mr. Van De Wege was invited to be in attendance.

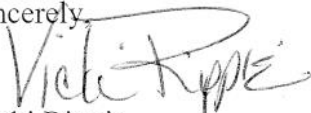
- Mr. Davis said that while meeting with Mr. Schroeder, he learned about two weekend dates, October 7 and October 14, 2006, respectively that the Kevin Van De Wege campaign had scheduled for doorbelling activities.
- Mr. Davis stated that he spoke with and coordinated WEA members to participate in doorbelling for the Van De Wege campaign. He said that he participated in both doorbelling activities with other WEA members after his contract work had ended, and that non-WEA members also participated in doorbelling. Mr. Davis said that he compiled a list of members that wanted a Kevin Van De Wege yard sign and then provided that list to WEA which arranged for distribution to their members. He stated the list he compiled was not given to the Van De Wege campaign, but remained with the WEA.
- Mr. Davis said that during his contract work for the WEA, other than scheduling WEA volunteers for specific campaign dates, he had limited contact with the campaign.

All of the activities engaged in by Mr. Davis involved internal political communications because they were limited to communicating with local WEA members. These activities included organizing, coordinating and encouraging local WEA members to volunteer their time to support Kevin Van De Wege's campaign. Thus, the activities did not constitute contributions. Therefore, the contribution limits of RCW 42.17.640 were not exceeded by the Kevin Van De Wege Campaign or the Washington Education Association.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against the Kevin Van De Wege Campaign.

Thank you for bringing this matter to our attention. The process relies on citizens monitoring campaign activity to promote full compliance. If you have questions, please contact Phil Stutzman, Director of Compliance, at (360) 664-8853, toll free at 1-877-601-2828 or by email at pstutzman@pdc.wa.gov.

Sincerely,



Vicki Rippie
Executive Director